



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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DIV. OF OIL, GAS & MINING

Mr. John Kirkham
Stoel Rives LLP.
201 S. Main Street 1100
Salt Lake City, UT 84111

Dear Mr. Kirkham:

Thank you for your letter dated January 17, 2005, inquiring as to the reason we initiated a new plan of operations (Plan) for Northern Stone Supply's (NSS) mining activity in T. 13 N., R. 13 W. Section 18 SLBM instead of a modification to their existing Plan. Upon review of your inquiry, we agree that the draft document submitted by NSS on December 13, 2004, should be a modification to their existing Plan UTU-69380. We agree with NSS as stated on page 1 of said submittal "This Plan will supersede [sic] the previous plan submitted by NSS in 2003". Therefore, if the modification submittal completely describes all past, present and future operations and surface disturbances, it will meet the definition of a "new Plan of Operations" as stated in the agreement.

As mentioned in the January 11, 2005, letter sent to NSS, we are working with the Utah Division of Oil, Gas and Mining to address the deficiencies and concerns with NSS modification. The Bureau of Land Management, working as lead agency on this project will notify NSS of these matters as soon as we complete our review(s). If you have any questions, or require additional information, please contact Larry Garahana of my staff at (801) 977-4371.

Sincerely,

David H. Murphy
Assistant Field Manager
Nonrenewable Resources

cc: Gary Mullard, Northern Stone Supply Inc.
Lynn Kunzler, UDOGM
Val Sawyer, SRK
Jared Bennett, Esq.